

REMARKS

Claims 1-7 are pending in the present application after this amendment adds new claim 7.

Claim 1 is amended by this amendment. No new matter is added by the amendment and new claim, which find support throughout the specification and figures. In particular, the amendments and new claim are supported in the specification at least at page 5, lines 16-22 and in figures 2 and 3. In view of the amendments and the following remarks, favorable reconsideration of this case is respectfully requested.

Applicants note with appreciation that the Examiner acknowledges that claims 4 and 6 are directed to allowable subject matter, and would therefore be in condition for allowance if rewritten in independent form.

Claims 1-3 stand rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,664,864 to Jiles et al. (hereinafter Jiles). Applicants respectfully traverse.

Claim 1 relates to a temperature-compensated crystal oscillator that includes, *inter alia, a surface-mount crystal unit having a hermetically sealed crystal unit*, and mounted on the surface of the substrate and electrically connected to the circuit pattern. In the temperature-compensated crystal oscillator of claim 1, the crystal unit has *a cavity defined in a mounting surface thereof, at least one of the circuit components being housed in the cavity* and at least one of the remaining circuit components is disposed outside of the cavity.

According to the present invention, the cavity for accommodating at least one circuit component is defined in a mounting surface of the crystal unit. The Office Action asserts that this feature is disclosed in Jiles in figure 2. (Office Action; page 2, line 16 to page 3, line 2). The accompanying description in Jiles mentions cavity 130 and cavity surface 132. (Jiles; col. 4, lines 35-44). However, neither of cavity 130 nor cavity surface 132 is defined in a mounting surface of

the crystal unit. In Jiles, the cavity is apparently defined in a surface of the substrate. Therefore, at least on the basis of the position of the cavity, the present invention is not anticipated by Jiles.

Additionally, Jiles does not disclose or suggest a surface-mount crystal unit having a hermetically sealed crystal unit in which the crystal unit has a cavity for housing a circuit component, as recited in claim 1. Jiles apparently discloses an oscillator that mounts on a substrate which is sealed by a cover. There is no indication in Jiles that elements 127 and 128 are a crystal unit, nor is there any disclosure of a crystal unit having a cavity for housing a circuit component. Since Jiles does not disclose these features, Jiles does not anticipate claim 1.

Claims 2 and 3 depend from claim 1, and therefore these claims are allowable for at least the same reasons as claim 1 is allowable.

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jiles in view of United States Patent No. 6,487,085 to Kimura et al. (hereinafter Kimura). Applicants respectfully traverse.

The addition of Kimura fails to cure the deficiency noted above with respect to claim 1, from which claim 5 depends, and therefore claim 5 is allowable for at least the same reasons as claim 1 is allowable.

New claim 7 depends from claim 1, and is therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 7 recites that a temperature-compensating circuit is formed as a chip-type circuit component. It is respectfully submitted that this feature is not disclosed or suggested by any of the cited references, and therefore for at least this additional reason, new claim 7 is allowable.

CONCLUSION

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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